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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,224	12/21/2001	Timo Vataja	4208-4038 Nokia 26200	3292
27123 7590 02/21/2008 MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101				
EXAMINER				
PERUNGAVOOR, VENKATANARAY				
ART UNIT		PAPER NUMBER		
2132				
NOTIFICATION DATE		DELIVERY MODE		
02/21/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOPatentCommunications@Morganfinnegan.com

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# Office Action Summary

**Application No.**

10/024,224

**Applicant(s)**

VATAJA, TIMO

**Examiner**

Venkat Perungavoor

**Art Unit**

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments, see pages 11-15, filed 12/12/2007, with respect to the rejection(s) of claim(s) 1-52 under 35 USC § 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of US Patent 5799083 to Brothers et al.(hereinafter Brothers), US Patent 7003113 to Yanase, US Patent 7236596 to Prokoski.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 7236596 to Prokoski in view of US Patent 7003113 to Yanase and further in view of US Patent 5799083 to Brothers et al.(hereinafter Brothers).

Regarding Claim 1, Prokoski discloses the determining a current location for a multimedia device using positional information provided by a long range cellular network or short-range wireless communication medium see Fig. 1 item 105; encoding multimedia content with the combined expression which includes information about the camera, location, time see Fig. 1 item 108 and further encrypting the encoded message

using a content key(i.e. keys that is specific to content) see Col 6 Ln 6-9. But does not explicitly disclose the certification authority receiving the encoding content for authentication. However, Brothers discloses the trusted third party being used for authentication see Col 8 Ln 53-56. It would be obvious to one having ordinary skill in the art at the time of the invention to include the trusted third party being used for authentication in the invention of Prokoski in order to a trust established among parties involved as taught in Brothers see Col 8 Ln 18-26. But neither Prokoski nor Brothers disclose the using of positional information for authentication. However, Yanase discloses the positional information being used for authentication see Col 2 Ln 36-45. It would be obvious to one having ordinary skill in the art at the time of the invention to include positional authentication data in the invention of Prokoski in order to guard against copying authentication data as taught in Col 6 Ln 34-39.

Regarding Claim 2-3, 15, 31-32, 44-45, Prokoski discloses the multimedia location and GPS system coordinates being used for location authentication see Col 7 Ln 48-51.

Regarding Claim 4-7, 16-19, 34-35, 47-48, Yanase discloses the different types of networks see Col 5 Ln 33-49.

Regarding Claim 8-9, 33, 36, 47, 49, Prokoski discloses the time and date being used for encoding see Fig. 1 item 106.

Regarding Claim 10-13, 20-21, 37-38, 50-51, Brothers discloses the different ID being used see Col 8 Ln 20-31.

Regarding Claim 14, 52, Prokoski discloses the determining a current location for a multimedia device using positional information provided by a long range cellular network or short-range wireless communication medium see Fig. 1 item 105; encoding multimedia content with the combined expression which includes information about the camera, location, time see Fig. 1 item 108 and further encrypting the encoded message using a content key(i.e. keys that is specific to content) see Col 6 Ln 6-9, and the time and date being used for encoding see Fig. 1 item 106. But does not explicitly disclose the certification authority receiving the encoding content for authentication. However, Brothers discloses the trusted third party being used for authentication see Col 8 Ln 53-56. It would be obvious to one having ordinary skill in the art at the time of the invention to include the trusted third party being used for authentication in the invention of Prokoski in order to a trust established among parties involved as taught in Brothers see Col 8 Ln 18-26. But neither Prokoski nor Brothers disclose the using of positional information for authentication. However, Yanase discloses the positional information being used for authentication see Col 2 Ln 36-45. It would be obvious to one having ordinary skill in the art at the time of the invention to include positional authentication data in the invention of Prokoski in order to guard against copying authentication data as taught in Col 6 Ln 34-39.

Regarding Claim 26, 39, Prokoski discloses the determining a current location for a multimedia device using positional information provided by a long range cellular network or short-range wireless communication medium see Fig. 1 item 105; encoding multimedia content with the combined expression which includes information about the camera, location, time see Fig. 1 item 108 and further encrypting the encoded message using a content key(i.e. keys that is specific to content) see Col 6 Ln 6-9. Prokoski discloses the matching of location based information with a table see Fig. 1 item 110. But does not explicitly disclose the context server receiving the encoding content for authentication. However, Brothers discloses the trusted third party being used for authentication see Col 8 Ln 53-56. It would be obvious to one having ordinary skill in the art at the time of the invention to include the trusted third party being used for authentication in the invention of Prokoski in order to a trust established among parties involved as taught in Brothers see Col 8 Ln 18-26. But neither Prokoski nor Brothers disclose the using of positional information for authentication. However, Yanase discloses the positional information being used for authentication into an authentication server(i.e. central system) see Col 2 Ln 36-45 & Fig. 1 item 4. It would be obvious to one having ordinary skill in the art at the time of the invention to include positional authentication data in the invention of Prokoski in order to guard against copying authentication data as taught in Col 6 Ln 34-39.

Regarding Claim 22-25, 27-30, 40-43, Brothers discloses the video, audio, and image data see Fig. 4 & Col 7 Ln 19-23.

Art Unit: 2132

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is (571)272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/V. P./

Examiner, Art Unit 2132

February 13, 2008

/Gilberto Barron Jr./

Supervisory Patent Examiner, Art Unit 2132